



FEDERAL REGISTER

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RULES AND REGULATIONS

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TITLE 15—COMMERCE AND FOREIGN TRADE

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Part 373, Licensing Policies and Related Special Provisions, is amended in the following particulars.

Section 373.2 *Export licensing general policy* is amended in the following particulars:

1. The list of commodities in subparagraph (2) of paragraph (h) is amended by deleting therefrom the following commodities:¹

<i>Schedule B</i>	
<i>Commodity</i>	<i>No.</i>
Wood prefabricated houses-----	423950
Panels and sections-----	423990
Steel prefabricated houses-----	604600
Cast iron soil pipe-----	606898
Cast iron soil pipe fittings-----	606998
Aluminum houses-----	630998

2. The list of commodities in subparagraph (2) of paragraph (h) is amended by adding thereto the following:

Coal tar pitch-----	800700
(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215, 61 Stat. 214, 61 Stat. 321; Pub. Law 395, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)	

Dated: January 10, 1949.

FRANCIS MCINTYRE,
Assistant Director,
Office of International Trade.
[F. R. Doc. 49-334; Filed, Jan. 13, 1949;
8:52 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 2—RULES OF PRACTICE

PROCEDURE FOR ESTABLISHING QUANTITY LIMITS

The Commission, on December 22, 1948, amended its rules of practice §§ 2.1 to 2.29 by adding thereto § 2.30 *Procedure for establishing quantity limits*. Said § 2.30 will appear as Rule XXX in the Commission's rules of practice, as included in its publication, Rules, Policy, Organization and Acts, of even date herewith. Section 2.30 reads as follows:

§ 2.30 *Procedure for establishing quantity limits*—(a) *How initiated*. Proceedings for the establishment of a quantity limit rule are initiated by resolution of the Commission either upon its

¹ The above listed commodities remain subject to the general licensing policy in this section. They are included in the category of commodities having the processing code symbol BLDG made subject to this licensing policy by amendment 16 (13 F. R. 6677).

own motion or pursuant to petition therefor.

(b) *Petition for establishment, amendment or repeal of a quantity limit rule.* Any interested party may at any time file with the Commission, in writing, a request or petition for the establishment of a quantity limit rule for any commodity or class of commodities, or for the revision or repeal of a previously established rule. Such petition shall state the petitioner's interest and such relevant facts, documented if possible, as may tend to show the need for the action requested.

(c) *Investigation.* If the Commission believes that consideration should be given to the fixing or establishing of quantity limits for a particular commodity or class of commodities, it shall initiate an investigation thereof by appropriate resolution. Such investigation shall include the ascertainment of facts and information concerning the quantity differentials granted to purchasers in the distribution of the particular commodity or class of commodities, the number of available purchasers of given quantities, and facts and information pertinent to competitive conditions existing in the distribution thereof. The investigation shall be non-public and facts and information so obtained, such as the names of purchasers, the volume of their purchases, prices paid, conditions of sale and the details of competitive relations, shall not be published except in composite form so as not to reveal facts as to specific parties.

(1) *Voluntary process.* Investigation shall be conducted by any authorized agent or agents of the Commission, who may, by interview, conference, correspondence or otherwise, request any person believed to have information or documents relevant to the inquiry to furnish such information orally or in writing, or to produce or permit the copying of such documents.

(2) *Compulsory process.* In the conduct of such investigation, the Commission may invoke any or all of the compulsory processes authorized by law and every person in any manner required to respond to such process shall be given actual notice of the purpose of the investigation.

The compulsory process which may be invoked shall include the following:

(i) The issuance of a subpoena directing the party named therein to appear before the officer designated therein and to testify to facts and matters under investigation or produce documents relating thereto, or both. Oral information obtained by this compulsory process shall be under oath and a stenographic record shall be made thereof;

(ii) The issuance of a notice to a corporation, to produce for examination and copying documents relating to any matter under investigation;

(iii) The issuance of an order requiring a corporation to file a special report or answers in writing to specific questions.

(3) *Rights of witnesses under compulsory process.* (i) Any person required to attend and testify or submit documents or other data shall be entitled to retain or, on payment of lawfully prescribed cost, procure a copy of any docu-

ment produced by such person and a copy of the transcript of his own testimony;

(ii) Any person compelled to appear at an investigation may be accompanied and advised by counsel or other qualified representative or by both, but such counsel or qualified representative may not, as a matter of right, otherwise participate in the investigation.

(d) *Hearing on proposed quantity-limit rule—(1) Formulation of proposed rule.* When, after due consideration of the facts and information so obtained, it shall appear to the Commission that available purchasers in greater quantities are so few as to render differentials on account thereof unjustly discriminatory or promotive of monopoly in any line of commerce, it shall formulate a proposed quantity-limit rule.

(2) *Publication of proposed rule.* The proposed quantity-limit rule shall be published in the FEDERAL REGISTER and otherwise, to the extent practicable, made available to interested parties, and the notice thereof shall include the following:

(i) The rule, amended rule, or repeal proposed;

(ii) A statement of the purpose to be accomplished by the proposed rule, together with a reference to the authority under which the rule is proposed and the ultimate matters of fact in support thereof;

(iii) A statement of the time within which any interested person may present to the Commission in writing, in accordance with paragraph (c) (3) (i) of this section, any data, views or argument concerning the proposed rule and within which time to present, if desired, a request for opportunity to be heard orally thereon.

(3) *Method of presenting views, data and argument—(i) Written data.* Seven copies of such written views, data and argument shall be submitted to the Commission, and shall conform to the requirements of § 2.12 (Rule XII) of the Commission's rules of practice.

(ii) *Oral hearing.* Oral hearing may be granted within the discretion of the Commission.

(e) *Promulgation of quantity-limit rule.* After the consideration of the results of its investigation or investigations and of the data, views and arguments presented by interested parties, the Commission will, if it deems such action warranted, promulgate a quantity-limit rule. Such rule, which may be the proposed rule or a modification or revision thereof, shall fix and establish maximum quantities of the particular commodity or class of commodities upon which differentials on account of quantity may thereafter be granted. Such quantity-limit rule shall be published in the FEDERAL REGISTER, together with a reference to the authority or authorities therefor, a statement of its basis and purpose, and the effective date thereof, which shall be not less than thirty (30) days after the date of such publication.

(f) *Amendment or repeal of quantity-limit rule.* The procedure for the amendment or repeal of a quantity-limit rule shall be the same as that for the establishment of a new quantity-limit rule.

(g) *Enforcement of quantity-limit rule.* Procedure in cases of violations of a quantity-limit rule shall be in accordance with the Commission's applicable rules of practice, §§ 2.1 to 2.30. (Sec. 6, 38 Stat. 721, sec. 2, 49 Stat. 1526; 15 U. S. C. 46, 13)

Promulgated as of this date in pursuance of the action of the Federal Trade Commission under date of December 22, 1948, effective on date of publication thereof in the FEDERAL REGISTER.

By direction of the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 49-347; Filed, Jan. 13, 1949;
8:55 a. m.]

PART 7—GENERAL PROCEDURES

PROCEDURE IN FIXING QUANTITY LIMITS FOR ANY COMMODITY OR CLASS OF COMMODITIES

The Commission, on December 22, 1948, amended its statement of General Procedures (§§ 7.1 to 7.10), by adding to said statement § 7.11 *Procedure in fixing quantity limits for any commodity or class of commodities.* Said § 7.11 will appear as section 18 in the Commission's statement, Organization, Procedures, and Functions, as included in its publication Rules, Policy, Organization and Acts, of even date herewith. Section 7.11 reads as follows:

§ 7.11 Procedure in fixing quantity limits for any commodity or class of commodities. The fixing of quantity limits for any commodity or class of commodities pursuant to the quantity-limits proviso of section 2 (a) of the Clayton Act as amended, or revising or setting aside such limits previously fixed, is carried out by the Commission in accordance with the aforesaid provisions of the Clayton Act and the procedural provisions of section 4 of the Administrative Procedure Act, without any delegation of final authority.

(a) *Investigation.* (1) When it appears to the Commission, by reason of applications therefor by interested parties or otherwise, that consideration should be given to whether quantity limits should be fixed for a particular commodity or class of commodities, due investigation is initiated by appropriate resolution of the Commission. Except as otherwise especially designated, such investigation is made under the immediate supervision of the Bureau of Legal Investigations, the Bureau of Industrial Economics, or the Bureau of Litigation, or any one or more of these. It includes ascertainment of differentials on account of quantity granted in the distribution of the particular commodity or class of commodities, the number of available purchasers in differing quantities, and facts bearing upon competitive conditions existing in the distribution thereof. Relevant facts are obtained by informal inquiry and the usual statutory processes. Information such as names of purchasers, the volume of their purchases, the prices paid, and the details of competi-

RULES AND REGULATIONS

tive relationships will not be made public except in composite form which does not reveal specific facts as to specific sellers or purchasers.

(2) The Commission duly considers the results of such investigation to determine whether, with respect to the particular commodity or class of commodities, it appears that available purchasers in greater quantities are so few as to render differentials on account thereof unjustly discriminatory or promotive of monopoly in any line of commerce. If it does so appear, the Commission formulates a proposed quantity-limit rule.

(b) *Rule making.* (1) When a proposed rule is formulated as a result of such investigation, the Commission conducts a rule-making proceeding to hear all interested parties, and initiates such proceeding by causing notice thereof to be published in the **FEDERAL REGISTER** and, to the extent practicable, makes copies of such notice available to interested parties. Such notice contains, in addition to the proposed rule, a statement of the basis for and purpose of the rule, including underlying ultimate matters of fact as developed by the investigation made. Such published notice will also fix the time within which any interested party may present to the Commission in writing, with or without request that it be kept confidential, any data, views, or arguments concerning the proposed rule, including (but without limitation) any alternate or substitute proposal, the necessity for the proposed rule or for any rule, and the factual basis for the rule proposed. The Commission may, in its discretion, pursuant to timely request made therefor, grant oral argument in addition to a written presentation, but such argument is not to be utilized for the initial presentation of facts and data, except upon good cause shown why such facts and data were not presented in writing within the time fixed for such purpose.

(2) The Commission will give full consideration to the results of its investigation, to the data, views, and arguments presented at the hearings in such rule-making proceeding and to the results of any investigation made of matters there presented. If it finds that with respect to the particular commodity or class of commodities available purchasers in greater quantities are so few as to render differentials on account thereof unjustly discriminatory or promotive of monopoly in any line of commerce, the Commission will establish a quantity-limit rule, either the proposed rule or any modification or revision thereof. Such rule will fix and establish as the maximum quantities of the particular commodity or class of commodities upon which differentials on account of quantity may thereafter be granted, those quantities with respect to which the Commission finds there will be a sufficient number of available purchasers so as not to render such maximum differentials unjustly discriminatory or promotive of monopoly in any line of commerce. Such rule will be published in the **FEDERAL REGISTER**, together with reference to the authority for it, a statement of its basis and purpose, and the effective date of the rule, which shall be not less than 30 days after the date of publication. To the extent practicable,

copies of the rule as established will be made available to interested parties.

(3) Proceedings for the revision or setting aside of a previously established rule fixing quantity limits will be similar to those for the establishment of such rule.

(4) Proceedings for the violation of any duly promulgated rule fixing quantity limits will be by complaint, with subsequent procedure under the Commission's rules of practice.

(5) Any interested party may at any time file a request or petition in writing for the fixing of quantity limits for any commodity or class of commodities, or for the revision or setting aside of such limits previously fixed. No such proceeding will be commenced, however, unless it satisfactorily appears to the Commission that necessity therefor may exist in order to effectuate the purposes of the quantity-limits proviso of section 2 (a). (Sec. 6, 38 Stat. 721, sec. 2, 49 Stat. 1526; 15 U. S. C. 46, 13)

Promulgated as of this date in pursuance of the action of the Federal Trade Commission under date of December 22, 1948, effective on date of publication thereof in the **FEDERAL REGISTER**.

By direction of the Commission.

[SEAL]

D. C. DANIEL,
Secretary.

[F. R. Doc. 49-348; Filed, Jan. 13, 1949;
8:55 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

REGISTRATION; FILING OF PROSPECTUSES

The Securities and Exchange Commission has heretofore published certain amendments to § 230.424 (Rule 424) of its general rules and regulations under the Securities Act of 1933 by redesignating paragraphs (b), (c) and (d) of Rule 424 as paragraphs (c), (d) and (e), and the insertion of a new paragraph (b) requiring the filing with the Commission of copies of every proposed form of prospectus sent or given to any person in accordance with § 230.131 (Rule 131).

It now appears that the insertion of the new paragraph in Rule 424 at the place indicated and the redesignation of the paragraphs mentioned will interfere with established procedures with respect to the handling of prospectuses filed with the Commission pursuant to Rule 424. The Commission has determined that the previous arrangement of the rule should be restored and that the new paragraph should be added at the end of the rule. Accordingly, the Commission, acting pursuant to the Securities Act of 1933, particularly section 19 (a) thereof, hereby amends Rule 424 by rearranging the rule to read as follows:

§ 230.424 *Filing of prospectuses; number of copies.* (a) In addition to the three copies of the proposed prospectus included in the body of the registration statement proper, five copies of such prospectus shall be filed with the regis-

tration statement at the time the statement is filed. A copy of the cross reference sheet required by § 230.404 (c) shall accompany each copy of the prospectus so filed.

(b) Within 5 days after the commencement of the public offering, 20 copies of each form of prospectus used in connection with such offering shall be filed, in the exact form used, with the office of the Commission with which the registration statement was filed.

(c) No prospectus which purports to comply with section 10 of the act and which varies from any form of prospectus filed pursuant to paragraph (b) of this section shall be used until 20 copies thereof shall have been filed with the office of the Commission with which the registration statement was filed.

(d) Every prospectus consisting of a radio broadcast shall be reduced to writing. At least 5 days before the prospectus is broadcast or otherwise issued to the public five copies thereof shall be filed with the office of the Commission with which the registration statement was filed.

(e) Five copies of every proposed form of prospectus sent or given to any person in accordance with § 230.131 shall be filed with, or mailed for filing to, the Commission not later than the date such form of prospectus is first sent or given to any person pursuant to § 230.131. Such copies shall be filed in addition to copies of the proposed form of prospectus filed pursuant to paragraph (a) of this section.

The Commission finds that the foregoing action is mechanical in nature and involves no substantial change in the rule amended and that prior notice of such amendment need not be published pursuant to section 4 (a) of the Administrative Procedure Act. In view of the desirability of having the amendment effective at the same time as the amendments previously published, it shall become effective January 17, 1949.

(Sec. 19 (a), 48 Stat. 85; 15 U. S. C. 77s)

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

JANUARY 10, 1949.

[F. R. Doc. 49-331; Filed, Jan. 13, 1949;
8:50 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

PART 6—AIR COMMERCE REGULATIONS

DOCUMENTS FOR ENTRY AND CLEARANCE

CROSS REFERENCE: For amendments to §§ 6.8 and 6.9, see Title 8, Chapter I, Part 116, *supra*.

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Federal Security Agency

PART 71—FOREIGN QUARANTINE

DOCUMENTS FOR ENTRY AND CLEARANCE

CROSS REFERENCE: For amendments to §§ 71.508 and 71.509, see Title 8, Chapter I, Part 116, *supra*.

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 936]

FRESH BARTLETT PEARS, PLUMS AND ELBERTA PEACHES IN CALIFORNIA

NOTICE OF REFERENDUM TO BE CONDUCTED AMONG PRODUCERS; DESIGNATION OF REFERENDUM AGENTS TO CONDUCT SUCH REFERENDUM

Pursuant to the applicable provisions of Marketing Agreement No. 85, as amended and Order No. 36, as amended (7 CFR, Cum. Supp., 936.1 et seq.), and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), it is hereby directed that a referendum be conducted among the producers who, during the current marketing season beginning on April 1, 1948, have been engaged, in the State of California, in the production of Bartlett pears, plums, or Elberta peaches for shipment in fresh form to determine whether a majority of such producers favor the termination of the aforesaid amended marketing agreement and order, as to any one or more of the fruits covered thereby. D. M. Rubel, G. A. Nahstoll, R. M. Walker, and James H. Bryce, Jr., in the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, are hereby designated as agents of the Secretary of Agriculture to perform, jointly or severally, the following functions in connection with the referendum:

(a) Conduct said referendum in the manner herein prescribed:

(1) By giving opportunity to each of the aforesaid producers to cast his ballot in the manner herein authorized, relative to the aforesaid termination of the amended marketing agreement and order, on a copy of the appropriate ballot form. A cooperative association of such producers, bona fide engaged in marketing fresh Bartlett pears, plums, or Elberta peaches grown in the State of California, or in rendering services for or advancing the interests of the producers of any such fruits may vote for the producers who are members of, stockholders in, or under contract with, such cooperative association (such vote to be cast on a copy of the appropriate ballot form), and the vote of such cooperative association shall be considered as the vote of such producers.

(2) By conducting and concluding said referendum not later than January 31, 1949.

(3) By giving public notice, as prescribed in (a) (4) hereof, (i) of the time during which the referendum will be conducted, (ii) that any ballot may be cast by mail, and (iii) that all ballots so cast must be addressed to James H. Bryce, Jr., Western Marketing Field Office, Fruit and Vegetable Branch, Room 100 Plaza Bldg., 921 10th Street, Sacramento 14, California, and must be postmarked not later than January 31, 1949.

(4) By giving public notice (i) by utilizing available agencies of public information (without advertising expense), including both press and radio facilities in the State of California; (ii) by mailing a notice thereof, including a copy of the appropriate ballot form, to each such cooperative association and to each producer whose name and address is known; and (iii) by such other means as said referendum agents or any of them may deem advisable.

(5) By conducting meetings of producers and arranging for balloting at the meeting places, if said referendum agents or any of them determines that voting shall be at meetings. At each such meeting balloting shall continue until all of the producers who are present, and who desire to do so, have had an opportunity to vote. Any producer may cast his ballot at any such meeting in lieu of voting by mail.

(6) By giving ballots to producers at the meetings; and receiving any ballots when they are cast.

(7) By securing the name and address of each person casting a ballot, and inquiring into the eligibility of such person to vote in the referendum.

(8) By giving public notice of the time and place of any meetings authorized hereunder by posting a notice thereof, at least two days in advance of each such meeting, at each such meeting place, and in two or more public places within the applicable area; and, so far as may be practicable, by giving additional notice in the manner prescribed in paragraph (a) (4) hereof.

(9) By forwarding to James H. Bryce, Jr., Western Marketing Field Office, Fruit and Vegetable Branch, Room 100, Plaza Bldg., 921 10th St., Sacramento 14, California, immediately after the close of the referendum, the following:

(i) A register containing the name and address of each producer to whom a ballot form was given;

(ii) A register containing the name and address of each producer from whom an executed ballot was received;

(iii) All of the ballots received by the respective referendum agent in connection with the referendum, together with a certificate to the effect that the ballots forwarded are all of the ballots cast and which were received by the respective agent during the referendum period;

(iv) A statement showing when and where each notice of referendum posted by said agent was posted and, if the notice was mailed to producers, the mailing list showing the names and addresses to which the notice was mailed and the time of such mailing; and,

(v) A detailed statement reciting the method used in giving publicity to such referendum.

(10) By appointing any farm adviser in charge of any county agricultural extension office, and by authorizing the chairman of the State Production and Marketing Administration committee to appoint any member or members of a county Agricultural Conservation As-

sociation committee, located in any of the counties in the districts (as such districts are defined in the aforesaid amended marketing agreement and order), and by appointing any other persons deemed necessary or desirable, to assist the said referendum agents in performing their duties hereunder. Each such person so appointed shall serve without compensation and may be authorized, by the said referendum agents or any of them, to perform any or all of the functions set forth in paragraphs (a), (6), (7), (8), and (9) hereof (which, in the absence of such appointment of subagents, shall be performed by said referendum agents) in accordance with the requirements herein set forth.

(b) Upon receipt by James H. Bryce, Jr., of all ballots cast in accordance with the provisions hereof, and such other information and data as may be required pursuant hereto, he shall forward the ballots, together with the information and data, to the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C. The Fruit and Vegetable Branch shall canvass the ballots and prepare and submit to the Secretary a detailed report covering the results of the referendum, the manner in which the referendum was conducted, the extent and kind of public notice given, and all other information pertinent to the full analysis of the referendum and its results.

(c) Each referendum agent and appointee pursuant hereto shall not refuse to accept a ballot submitted or cast; but should they, or any of them, deem that a ballot should be challenged for any reason, or if such ballot is challenged by any other person, said agent or appointee shall endorse above his signature, on the back of said ballot, a statement that such ballot was challenged, by whom challenged, and the reasons therefor; and the number of such challenged ballots shall be stated when they are forwarded as provided herein.

(d) All ballots shall be treated as confidential.

The Director of the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, is hereby authorized to prescribe additional instructions, not inconsistent with the provisions hereof, to govern the procedure to be followed by the said referendum agents and appointees in conducting said referendum.

Copies of the aforesaid amended marketing agreement and order may be examined in the Office of the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., and at the Western Marketing Field Office, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, 921 10th Street, Sacramento 14, California.

Ballots to be cast in the referendum may be obtained from any referendum agent and any appointee hereunder.

PROPOSED RULE MAKING

Done at Washington, D. C., this 11th day of January 1949.

[SEAL] A. J. LOVELAND,
Acting Secretary of Agriculture.
[F. R. Doc. 49-350; Filed, Jan. 13, 1949;
8:55 a. m.]

FEDERAL TRADE COMMISSION

[16 CFR, Ch. I]

[File No. 21-286]

COSMETICS AND TOILET PREPARATIONS INDUSTRY

NOTICE OF HEARING AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS

At a regular session of the Federal Trade Commission held at its office in the

city of Washington, D. C., on the 11th day of January 1949.

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, firms, corporations, organizations, or other parties, affected by or having an interest in the proposed trade practice rules for the cosmetics and toilet preparations industry, to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to

be filed with the Commission not later than February 10, 1949. Opportunity to be heard orally will be afforded at the hearing beginning at 10 a. m. February 10, 1949, in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street NW, Washington, D. C., to any such persons, firms, corporations, organizations, or other parties who desire to appear and be heard. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 49-298; Filed, Jan. 13, 1949;
8:46 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CALIFORNIA No. 109

SMALL TRACT CLASSIFICATION ORDER

NOVEMBER 30, 1948.

Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3), 13 F. R. 4278), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. section 682a), as herein-after indicated, the following described land in the Los Angeles, California, land district, embracing 500 acres,

CALIFORNIA SMALL TRACT CLASSIFICATION
No. 118

For lease only for all purposes mentioned in the act except business.

T. 2 N., R. 4 E., S. B. M.,
Sec. 27, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$,
NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$,
SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.
Sec. 36, SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$
SE $\frac{1}{4}$.

2. As to applications regularly filed prior to 8:30 a. m., July 1, 1948, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m., February 18, 1949. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., February 18, 1949, to the close of business on May 19, 1949.

(b) Advance period for veterans' simultaneous filings from 8:30 a. m., July 1, 1948, to the close of business on February 18, 1949.

4. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m., May 20, 1949.

(a) Advance period for simultaneous nonpreference filings from 8:30 a. m., July 1, 1948, to the close of business on May 20, 1949.

5. Applications filed within the periods mentioned in paragraph 3 (b) and 4 (a) will be treated as simultaneously filed.

6. All of the land will be leased in tracts of approximately 5 acres, each be-

ing approximately 330 by 660 feet, the longer dimensions to extend north and south, except in the NE $\frac{1}{4}$ Sec. 27, east and west.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimensions specified in paragraph 6.

8. Where only one five-acre tract in a 10-acre subdivision is embraced in a preference right application, an application for the remaining five-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of five years at an annual rental of \$5.00 payable for the entire lease period in advance of the issuance of the lease.

10. Leases will be subject to such easements for road rights of way as may be necessary to permit ingress or egress by other lessees to or from other lands leased under authority of this order.

11. All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Los Angeles, California.

L. T. HOFFMAN,
Regional Administrator.

[F. R. Doc. 49-320; Filed, Jan. 13, 1949;
8:46 a. m.]

CALIFORNIA
CLASSIFICATION ORDER

DECEMBER 17, 1948.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3), 13 F. R. 4278), I hereby classify under the

CALIFORNIA
CLASSIFICATION ORDER

DECEMBER 17, 1948.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3), 13 F. R. 4278), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. section 682a), as herein-after indicated, the following described

land in the Los Angeles, California, land district, embracing 365 acres.

CALIFORNIA SMALL TRACT CLASSIFICATION
No. 118

For lease and sale for all purposes mentioned in the act except business.

T. 14 S., R. 7 E., S. B. M.,
Sec. 34, SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$
NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$
NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$
SW $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.

2. As to applications regularly filed prior to 9:10 a. m., May 12, 1947, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m., February 18, 1949. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., February 18, 1949, to the close of business on May 19, 1949.

(b) Advance period for veterans' simultaneous filings from 9:10 a. m., May 12, 1947, to the close of business on February 18, 1949.

4. Any of the land remaining unappropriated shall become subject to the application under the Small Tract Act by the public generally, commencing at 10:00 a. m., May 20, 1949.

(a) Advance period for simultaneous nonpreference filings from 9:10 a. m., May 12, 1947, to the close of business on May 20, 1949.

5. Applications filed within the periods mentioned in paragraph 3 (b) and 4 (a) will be treated as simultaneously filed.

6. All of the land will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimensions to extend north and south, except in the S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, east and west.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimensions specified in paragraph 6.

8. Where only one five-acre tract in a 10-acre subdivision is embraced in a preference right application, an application for the remaining five-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of five years at an annual rental of \$5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of \$10.00 an acre, application for which may be filed at or after the expiration of one year from date the lease is issued.

10. Leases will be subject to such easements for road rights of way as may be necessary to permit ingress or egress by other lessees to or from other lands leased under authority of this order.

11. All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Los Angeles, California.

L. T. HOFFMAN,
Regional Administrator.

[F. R. Doc. 49-321; Filed, Jan. 13, 1949;
8:46 a. m.]

NEVADA

CLASSIFICATION ORDER

DECEMBER 22, 1948.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3), 13 F. R. 4278), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. section 682a), as herein-after indicated, the following described land in the Carson City, Nevada, land district, embracing 160 acres.

NEVADA SMALL TRACT CLASSIFICATION NO. 14

For lease and sale for all purposes mentioned in the act except business.

T. 22 S., R. 61 E., M. D. M.,
Sec. 5, SW $\frac{1}{4}$.

2. As to applications regularly filed prior to 10:15 a. m., November 24, 1948, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m., February 23, 1949. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., February 23, 1949, to the close of business on May 24, 1949.

(b) Advance period for veterans' simultaneous filings from 10:15 a. m., November 24, 1948, to the close of business on February 23, 1949.

4. Any of the land remaining unappropriated shall become subject to the application under the Small Tract Act by the public generally, commencing at 10:00 a. m., May 25, 1949.

(a) Advance period for simultaneous nonpreference filings from 10:15 a. m., November 24, 1948, to the close of business on May 25, 1949.

5. Applications filed within the periods mentioned in paragraph 3 (b) and 4 (a) will be treated as simultaneously filed.

6. All of the land will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimensions to extend north and south.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimensions specified in paragraph 6.

8. Where only one five-acre tract in a 10-acre subdivision is embraced in a preference right application, an applica-

tion for the remaining five-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of five years at an annual rental of \$5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of \$50.00 an acre, application for which may be filed at or after the expiration of one year from date the lease is issued.

10. Leases will be subject to such easements for road rights of way as may be necessary to permit ingress or egress by other lessees to or from other lands leased under authority of this order.

11. All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Carson City, Nevada.

L. T. HOFFMAN,
Regional Administrator.

[F. R. Doc. 49-322; Filed, Jan. 13, 1949;
8:47 a. m.]

CALIFORNIA

CLASSIFICATION ORDER

DECEMBER 10, 1948.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3), 13 F. R. 4278), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. section 682a), as herein-after indicated, the following described land in the Los Angeles, California, land district, embracing 160 acres,

CALIFORNIA SMALL TRACT CLASSIFICATION
NO. 114

For lease and sale for all purposes mentioned in the act except business.

T. 6 N., R. 5 W., S. B. M.,
Sec. 2, SE $\frac{1}{4}$.

2. As to applications regularly filed prior to 8:30 a. m., November 8, 1948, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m., February 11, 1949. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., February 11, 1949, to the close of business on May 12, 1949.

(b) Advance period for veterans' simultaneous filings from 8:30 a. m., November 8, 1948, to the close of business on February 11, 1949.

4. Any of the land remaining unappropriated shall become subject to the application under the Small Tract Act by the public generally, commencing at 10:00 a. m., May 13, 1949.

(a) Advance period for simultaneous nonpreference filings from 8:30 a. m.,

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November 8, 1948, to the close of business on May 13, 1949.

5. Applications filed within the periods mentioned in paragraph 3 (b) and 4 (a) will be treated as simultaneously filed.

6. All of the land will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimensions to extend north and south.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimensions specified in paragraph 6.

8. Where only one 5-acre tract in a 10-acre subdivision is embraced in a preference right application, an application for the remaining 5-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of 5 years at an annual rental of \$5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of \$15.00 an acre, application for which may be filed at or after the expiration of 1 year from date the lease is issued.

10. Leases will be subject to such easements for road rights of way as may be necessary to permit ingress or egress by other lessees to or from other lands leased under authority of this order.

11. All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Los Angeles, California.

L. T. HOFFMAN,
Regional Administrator.

[F. R. Doc. 49-323; Filed, Jan. 13, 1949;
8:47 a. m.]

CALIFORNIA
CLASSIFICATION ORDER

DECEMBER 10, 1948.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3), 13 F. R. 4278), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. section 682a), as herein-after indicated, the following described land in the Los Angeles, California, land district, embracing 40 acres,

CALIFORNIA SMALL TRACT CLASSIFICATION
No. 113

For lease and sale for all purposes mentioned in the act except business.

T. 10 N., R. 3 E., S. B. M.,
Sec. 11, SW 1/4 SE 1/4.

2. As to applications regularly filed prior to 11:00 a. m., October 14, 1948, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to per-

mit leasing under the Small Tract Act until 10:00 a. m., February 11, 1949. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., February 11, 1949, to the close of business on May 12, 1949.

(b) Advance period for veterans' simultaneous filings from 11:00 a. m., October 14, 1948, to the close of business on February 11, 1949.

4. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m., May 13, 1949.

(a) Advance period for simultaneous nonpreference filings from 11:00 a. m., October 14, 1948, to the close of business on May 13, 1949.

5. Applications filed within the periods mentioned in paragraph 3 (b) and 4 (a) will be treated as simultaneously filed.

6. All of the land will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimensions to extend north and south.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimensions specified in paragraph 6.

8. Where only one five-acre tract in a 10-acre subdivision is embraced in a preference right application, an application for the remaining five-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of five years at an annual rental of \$5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of \$15.00 an acre, application for which may be filed at or after the expiration of one year from date the lease is issued.

10. Leases will be subject to such easements for road rights of way as may be necessary to permit ingress or egress by other lessees to or from other lands leased under authority of this order.

11. All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Los Angeles, California.

L. T. HOFFMAN,
Regional Administrator.

[F. R. Doc. 49-324; Filed, Jan. 13, 1949;
8:47 a. m.]

DEPARTMENT OF AGRICULTURE
Production and Marketing
Administration

NOTICE OF POSTPONEMENT OF HEARING AT
GREELEY, COLO.

Pursuant to the authority contained in subsections (c) (1) and (c) (2) of section 301 of the Sugar Act of 1948 (61 Stat. 929), notice is hereby given that the pub-

lic hearing at Greeley, Colorado, scheduled for 10:00 a. m., in the Council Room of the City Hall on January 5, 1949, in accordance with notice of hearings and designation of presiding officers, issued December 21, 1948, has been postponed to January 24, 1949, at the same hour and location.

The postponement has been made necessary because of adverse weather conditions prevailing in the area which prevented the presiding officers from calling the hearing to order at the time originally scheduled.

Issued this 11th day of January 1949.

[SEAL] A. J. LOVELAND,
Acting Secretary of Agriculture.

[F. R. Doc. 49-349; Filed, Jan. 13, 1949;
8:55 a. m.]

DEPARTMENT OF COMMERCE

Office of Industry Cooperation

MARIDON MANUFACTURING CO., INC.

NOTICE OF WITHDRAWAL

JANUARY 3, 1949.

In a letter dated December 20, 1948, from the Director of the Office of Industry Cooperation of the Department of Commerce to you, you were advised that we had information that you had violated the provisions of the voluntary plan, under Public Law 395, 80th Congress, for allocation of steel products for warm air heating equipment for residential housing, in that you had apparently used steel products obtained by you under the plan for purposes not covered by the plan. That letter stated that you might ask, on or before December 27, 1948, for an opportunity to show cause why my request for compliance with the plan should not be withdrawn and your privileges of participation in the plan terminated. No such request has been received.

Accordingly, pursuant to subsection 2 (d) of Public Law 395, 80th Congress, I hereby withdraw the request made by me in writing on July 8, 1948, and the supplemental request made by me in writing on October 14, 1948, for compliance by you with the voluntary plan under Public Law 395, 80th Congress, for the allocation of steel products for warm air heating equipment for residential housing.

In accordance with said subsection 2 (d), after publication of this notice of withdrawal in the *FEDERAL REGISTER*, the provisions of Public Law 395, 80th Congress, shall not apply to any subsequent act or omission by reason of said request dated July 8, 1948 or said supplementary request dated October 14, 1948.

CHARLES SAWYER,
Secretary of Commerce.

[F. R. Doc. 49-326; Filed, Jan. 13, 1949;
8:48 a. m.]

CIVIL SERVICE COMMISSION

Loyalty Review Board

ORGANIZATION

1. Establishment. The Loyalty Review Board was established on November 10,

1947 by Minute 1 of the Civil Service Commission, pursuant to Executive Order 9835 of March 21, 1948 (12 F. R. 1935), which established the Federal Employees Loyalty Program.

2. Appointment of members. Board members are appointed by the Commissioners. Their positions are excepted from the competitive service, and they serve on a part-time basis. The number of members is discretionary with the Commission except that the Board must be composed of not less than three impartial persons.

3. Officers of the Board. The officers of the Board, all elected by the members, consist of a chairman, two vice-chairmen, and an executive secretary. All are Board members except the executive secretary, who serves the Board as its full-time administrative officer under supervision of the chairman.

An executive committee of not less than five nor more than seven members of the Board, appointed by the chairman, may act between meetings of the Board on matters not admitting of delay, except that amendments to the regulations and directives of the Board are made only when authorized by vote of the Board.

Unless otherwise ordered by the Board, the Board reviews or post-audits cases and acts on appeals and on agency regulations through panels designated by the chairman. Panels must consist of not less than three members.

4. Functions. The Board has the authority and responsibility:

(a) To review cases involving loyalty and to act on appeals and to make such advisory recommendations with respect thereto to departments and agencies as the Board shall duly approve.

(b) To make rules and regulations, not inconsistent with the provisions of Executive Order 9835, deemed necessary to implement statutes and Executive orders relating to employee loyalty.

(c) To advise all departments and agencies on all problems relating to employee loyalty.

(d) To disseminate information pertinent to the loyalty program.

(e) To coordinate the loyalty policies and procedures of the several departments and agencies and of the regional loyalty boards of the Commission.

5. Organization. The functions of the Board are allocated to Sections as follows:

(a) The Examining Section analyzes and prepares for the consideration of the Board (1) appeals from the decisions of regional loyalty boards in cases involving the loyalty of applicants for and new appointees to the competitive service; (2) appeals from the decisions of heads of agencies in cases involving the loyalty of incumbent and excepted employees (including appeals under section 14 of the Veterans' Preference Act of 1944) and of applicants for positions excepted from the competitive service; (3) cases accepted by the Board for the rendering of advisory recommendations, and (4) any other cases referred to the Board.

(b) The Regulations and Advisory Section (1) plans, analyzes and reviews loyalty policies and programs, makes re-

commendations to the Board and the Commission and advises and instructs departments and agencies and regional loyalty boards; (2) plans, proposes and issues regulations, procedures, standards and other material to implement statutes and executive orders relating to loyalty; (3) conducts research on organizations and movements of interest to the loyalty program, and provides for dissemination as appropriate of information furnished by the Attorney General; (4) prepares general and special reports and information on administration of the program; and (5) generally assists the Board in coordination of the loyalty program.

(c) The Inspection Section (1) inspects loyalty program operations in departments and agencies and in regional loyalty boards of the Commission, including follow-up on pending cases; (2) post audits cases not appealed to the Board which are decided in departments and agencies and by regional loyalty boards; and (3) makes reports and recommendations to the Board on inspections and post audits.

(d) The Administrative Section renders administrative services to the organization.

THE LOYALTY REVIEW BOARD,
UNITED STATES CIVIL SERV-
ICE COMMISSION,
SETH W. RICHARDSON,
Chairman.

[F. R. Doc. 49-325; Filed, Jan. 13, 1949;
8:48 a. m.]

FEDERAL POWER COMMISSION

[Project No. 404]

CHARLES R. POLLOCK AND L. B. COOPER

APPLICATION FOR LICENSE

JANUARY 10, 1949.

Public notice is hereby given pursuant to the provisions of the Federal Power Act (16 U. S. C. 791-825r), that Charles R. Pollock and L. B. Cooper, of Seattle, Washington, have filed application for a new license for constructed water-power Project No. 404, located on Lagoon Creek, a tributary of Harrison Lagoon, a branch of Port Wells, in the Third Judicial Division, Alaska, and consisting of a low log-crib rock-filled dam at the outlet of a small lake, a pipe line about 4,150 feet long, a frame powerhouse containing a 200-horsepower water wheel and a 150-kilowatt generator, a transmission line 6,250 feet long, and appurtenant facilities.

Any protest against the approval of this application or request for hearing thereon, with the reasons for such protest or request and the name and address of the party or parties so protesting or requesting, should be submitted before February 19, 1949, to the Federal Power Commission, Washington 25, D. C.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-327; Filed, Jan. 13, 1949;
8:48 a. m.]

[Project No. 1409]

Mt. BAKER SKI CLUB

NOTICE OF ORDER AUTHORIZING ISSUANCE OF
NEW LICENSE (MINOR)

JANUARY 11, 1949.

Notice is hereby given that, on January 7, 1949, the Federal Power Commission issued its order entered January 4, 1949, authorizing issuance of new license (minor) in the above-designated matter.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-333; Filed, Jan. 13, 1949;
8:52 a. m.]

[Docket No. G-911]

TENNESSEE GAS TRANSMISSION CO.

NOTICE OF APPLICATION

JANUARY 10, 1949.

Notice is hereby given that on December 27, 1948, an application was filed with the Federal Power Commission by Tennessee Gas Transmission Company (Applicant), a Delaware corporation having its principal place of business at Houston, Texas, and authorized to do business in the States of Texas, Louisiana, Arkansas, Mississippi, Tennessee, Kentucky and West Virginia, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing Applicant to construct and operate at its main line valve No. 110 located between its Compressor Stations Nos. 13 and 14, at a point near Morehead, Kentucky, a new compressor station with three 3,600 R. P. M. centrifugal compressors in series, each compressor being driven by 2,000 H. P. induction electric motor.

Temporary authorization to construct and operate such compressor station was hereinbefore granted by the Commission on July 1, 1947.

Applicant states that the aforesaid compressor station commenced operation in June 1948, and enabled Applicant to increase the capacity on the north end of its system by 35,000 Mcf per day.

Applicant further states that the estimated total over-all capital cost of such compressor station is approximately \$725,000, which was financed from cash on hand, and that the estimated cost of operation thereof is approximately \$357,000 per annum, of which \$300,000 is the estimated cost of purchased electric power.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of § 1.37 of the Commission's rules of practice and procedure and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter, whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of Tennessee Gas Transmission Company is on file with the Commission and open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Fed-

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eral Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the **FEDERAL REGISTER**, a petition to intervene or protest. Such petition or protest shall conform to the requirements of §§ 1.8 or 1.10, whichever is applicable, of the rules of practice and procedure.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-328; Filed, Jan. 13, 1949;
8:48 a. m.]

FEDERAL TRADE COMMISSION

[Docket No. 5585]

LEVER BROTHERS CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 10th day of January A. D. 1949.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission.

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and the receipt of evidence begin on Wednesday, January 26, 1949, at ten o'clock in the forenoon of that day (eastern standard time), in Hearing Room, Federal Trade Commission Building, Sixth Street and Pennsylvania Avenue, Washington, D. C.

Upon completion of the taking of testimony and receipt of evidence in support of the allegations of the complaint, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

By the Commission.

[SEAL]

D. C. DANIEL,
Secretary.

[F. R. Doc. 49-335; Filed, Jan. 13, 1949;
8:52 a. m.]

[Docket No. 5586]

PROCTER & GAMBLE DISTRIBUTING CO., AND PROCTER & GAMBLE CO.**ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY**

At a regular session of the Federal Trade Commission, held at its office in

the city of Washington, D. C., on the 10th day of January A. D. 1949.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and the receipt of evidence begin on Thursday, January 27, 1949, at ten o'clock in the forenoon of that day (eastern standard time), in Hearing Room, Federal Trade Commission Building, Sixth Street and Pennsylvania Avenue, Washington, D. C.

Upon completion of the taking of testimony and receipt of evidence in support of the allegations of the complaint, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

By the Commission.

[SEAL]

D. C. DANIEL,
Secretary.

[F. R. Doc. 49-336; Filed, Jan. 13, 1949;
8:53 a. m.]

[Docket No. 5587]

COLGATE-PALMOLIVE-PEET CO.**ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY**

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 10th day of January A. D. 1949.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and the receipt of evidence begin on Wednesday, January 26, 1949, at two o'clock in the afternoon of that day (eastern standard time), in Hearing Room, Federal Trade Commission Building, Washington, D. C.

Upon completion of the taking of testimony and the receipt of evidence in support of the allegations of the complaint, the trial examiner is directed to

proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

By the Commission.

[SEAL]

D. C. DANIEL,
Secretary.

[F. R. Doc. 49-337; Filed, Jan. 13, 1949;
8:53 a. m.]

[Docket No. 5620]

GENERAL MOTORS CORP. AND AC SPARK PLUG CO.**ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY**

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 10th day of January A. D. 1949.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Webster Ballinger, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and the receipt of evidence begin on Tuesday, February 8, 1949, at ten o'clock in the forenoon of that day (eastern standard time), in Courtroom No. 859, United States Post Office, Detroit, Michigan.

Upon completion of the taking of testimony and receipt of evidence in support of the allegations of the complaint, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

By the Commission.

[SEAL]

D. C. DANIEL,
Secretary.

[F. R. Doc. 49-338; Filed, Jan. 13, 1949;
8:53 a. m.]

INTERSTATE COMMERCE COMMISSION

[Application 7]

ASSOCIATION OF AMERICAN RAILROADS
APPLICATION FOR APPROVAL OF AGREEMENT

JANUARY 11, 1949.

The Commission is in receipt of the above-entitled and numbered application for approval of an agreement under the provisions of section 5a of the Interstate Commerce Act.

Filed by: W. T. Faricy, Attorney-in-fact, Transportation Building, Washington 6, D. C.; Southern Railway Company, John B. Hyde, Vice President, Washington 13, D. C.

Agreement involved: An agreement between and among common carriers by railroad, members of the Association of American Railroads, relating to per diem, mileage, or demurrage and storage rates and charges, and rules, regulations and procedures for the joint consideration, initiation or establishment thereof.

The complete application may be inspected at the office of the Commission in Washington, D. C.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 20 days from the date of this notice. As provided by the General Rules of Practice of the Commission, persons other than applicant should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 49-346; Filed, Jan. 13, 1949;
8:55 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-50, 54-82, 59-10, 59-39]

NORTH AMERICAN CO. ET AL.

SUPPLEMENTAL ORDER RESERVING
JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 10th day of January 1949.

In the matter of the North American Company and its subsidiary companies, File No. 59-10; The North American Company, File No. 54-82; North American Light & Power Company, Holding Company System and The North American Company, File No. 59-39; North American Light & Power Company, File No. 54-50.

The Commission having issued its order on June 25, 1947, approving, subject to certain conditions, a plan filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 by The North American Company and

joined in by its subsidiary, North American Light & Power Company; and

The Commission having issued its supplemental order on August 4, 1947, amending the said order of June 25, 1947, to include certain recitals conforming to the requirements of Supplement R of Chapter 1 and section 1808 (f) of Chapter 11 of the Internal Revenue Code, as amended; and

The Commission having in said supplemental order of August 4, 1947, reserved jurisdiction to enter such other or further orders conforming to the requirements of Supplement R of Chapter 1 and section 1808 (f) of Chapter 11 of the Internal Revenue Code, as amended, as might appear to the Commission to be appropriate; and

North American Light & Power Company having advised the Commission that January 14, 1949, has been fixed as the effective date of said plan and that Bankers Trust Company has been appointed as agent and trustee for certain steps in effectuation of the plan, and having further advised the Commission that the stock certificate numbers recited in said supplemental order of August 4, 1947, are incorrect, and having requested that the Commission issue, in lieu of said supplemental order of August 4, 1947, a supplemental order containing the recitals hereinafter set forth; and

The Commission having considered the application for a supplemental order and it appearing to the Commission that said application may appropriately be granted;

It is ordered, That the order dated June 25, 1947, in these proceedings as amended by the supplemental order of August 4, 1947, be, and the same hereby is, further amended by adding thereto, in lieu of the provisions of the supplemental order of August 4, 1947, the following provisions:

It is further ordered and recited and the Commission finds, That the proposed transfer by North American Light & Power Company of 288,296.6 shares of Illinois Power Company Common Stock (represented by Certificate Nos. CB-42, for 12,478 shares, CB-56 for 150,000 shares, CB-63 for 34,556 shares, and, to the extent of 91,263.6 shares, only, CB-58 for 300,000 shares) to Bankers Trust Company in trust for the benefit of all of the holders of Common Stock of North American Light & Power Company other than The North American Company, and the proposed exchange by Bankers Trust Company on behalf of North American Light & Power Company held by stockholders other than The North American Company at the rate of three-tenths of one share of Illinois Power Company Common Stock for each such share of North American Light & Power Company Common Stock, in liquidation and retirement of all such stock and in full satisfaction of all rights in respect thereof, all as authorized or permitted by this order of the Commission of June 25,

1947, and in obedience thereto, is necessary or appropriate to the integration or simplification of the holding company system of which North American Light & Power Company is a member and is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

It is further ordered, That jurisdiction be, and hereby is, reserved to enter such other or further orders, conforming to the requirements of Supplement R of Chapter 1 and section 1808 (f) of Chapter 11 of the Internal Revenue Code, as amended, as may appear to the Commission to be appropriate.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 49-329; Filed, Jan. 13, 1949;
8:48 a. m.]

[File No. 811-551]

INDEPENDENT INVESTORS FUND, INC.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C. on the 10th day of January A. D. 1949.

Notice is hereby given that Independent Investors Fund, Inc. (applicant), an investment company registered under the Investment Company Act of 1940, has filed an application pursuant to section 8 (f) of the act for an order of the Commission declaring that applicant has ceased to be an investment company within the meaning of the act.

It appears from the application that the applicant never issued any shares of its capital stock; that subscriptions to 18,500 shares of its capital stock were received from 11 persons; that the subscription price for 1,000 shares only was paid; that the amount received for the 1,000 shares has been refunded and all subscriptions have been cancelled; and that applicant does not intend to make any future offering of its securities or to engage in any activities.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application which is on file in the office of the Commission in Washington, D. C.

Notice is further given that an order granting the application, in whole or in part and upon such terms and conditions as the Commission may see fit to impose may be issued by the Commission at any time after January 24, 1949 unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than January 21, 1949 at 5:30 p. m., submit in writing to the Commission his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C., and should state briefly the nature of the interest of the person

NOTICES

submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-330; Filed, Jan. 13, 1949;
8:49 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

CONARD-PYLE CO.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damage and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

The Conard-Pyle Company, West Grove, Chester County, Pa.; A-133; Property described in Vesting Order No. 1028, dated March 4, 1943, relating to United States Patent Application Serial Number 442,958, now United States Plant Patent Number 574, reserving, however, in the Attorney General of the United States the right to collect any monies due or to become due from the Conard-Pyle Company, with respect to said patent, pursuant to a contract executed by and between the Conard-Pyle Company and Francis Meilland at Tassin-les-Lyon, Rhone, France, on April 9, 1936.

Executed at Washington, D. C., on January 10, 1949.

For the Attorney General.

[SEAL]

DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-342; Filed, Jan. 13, 1949;
8:54 a. m.]

GIOVANNI GREGORINI-BINGHAM

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after ade-

quate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property and Location

Giovanni Gregorini-Bingham, Villa Gregorini, Casalecchio, Bologna, Italy; 5849; \$1,204.02 in the Treasury of the United States. All right, title, interest and claim of any kind or character whatsoever of Giovanni Gregorini-Bingham in and to the trust created under the Will of Henry B. King, Deceased.

Executed at Washington, D. C., on January 10, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-343; Filed, Jan. 13, 1949;
8:54 a. m.]

SOCIETE RHODIACETA

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Societe Rhodiaceta, Paris, France; 29526; Property described in Vesting Order No. 667 (8 F. R. 4995, April 17, 1943) relating to United States Letters Patent No. 2,240,935. Property relating to a disclosure of an invention entitled "Manufacture of Solutions of Polyvinyl Derivatives", inventor Jacques Corbiere, identified in Vesting Order No. 1601 (8 F. R. 8566, June 21, 1943) as Transaction Control 195 (f), and now known as Patent Application Serial No. 623,889.

Executed at Washington, D. C., on January 10, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-344; Filed, Jan. 13, 1949;
8:54 a. m.]

[Vesting Order 12594]

TSUNEKO ASANO

In re: Bank account and bonds owned by Tsuneko Asano, also known as Tsuekeno Asano. F-39-3586-C-1/E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Tsuneko Asano, also known as Tsuekeno Asano, whose last known address is Yokohama, Japan, is a resident

of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation of First State Bank of Rosemead, Rosemead, California, arising out of a savings account, account number 3438, entitled Mrs. J. C. Ralston, Trustee for Tsuneko Asano, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

b. Six (6) United States Savings Bonds, Series G, each of \$100 face value, bearing the numbers C 1046385 to C 1046390 inclusive, and presently in the custody of Mrs. J. C. Ralston, 1210 South Lafayette Street, San Gabriel, California, together with any and all rights thereto and thereto,

c. Two (2) United States Savings Bonds, Series G, each of \$500 face value, bearing the numbers D 553579 and D 553580, and presently in the custody of Mrs. J. C. Ralston, 1210 South Lafayette Street, San Gabriel, California, together with any and all rights thereto and thereto, and

d. One (1) United States Savings Bond, Series G, of \$1000 face value, bearing the number M 1243051, and presently in the custody of Mrs. J. C. Ralston, 1210 South Lafayette Street, San Gabriel, California, together with any and all rights thereto and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Tsuneko Asano, also known as Tsuekeno Asano, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 31, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 49-341; Filed, Jan. 13, 1949;
8:54 a. m.]